

DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY

(Under 37 CFR § 1.63; includes reference to PCT International Applications)

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention ENTITLED:

**IMMUNIZATION OF ANIMALS BY TOPICAL APPLICATION
OF A SALMONELLA-BASED VECTOR**

the specification of which:

is attached hereto

was filed on January 18, 2002 as:

United States Application Serial No. 10/052,323

as a National Phase or Continuation or Continuation-in-Part or Divisional of PCT Application No. _____, filed _____

and designating the U.S., and published as _____ on _____

with amendments through _____ (if applicable, give details).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code § 119 of any foreign application(s) for patent or inventor's certificate or of any PCT International application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application for patent or inventor's certificate or any PCT International applications designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) on which priority is claimed:

Prior Foreign/PCT Application(s) [list additional applications on separate page]:

| <u>Country (or PCT)</u> | <u>Application Number:</u> | <u>Filed (Day/Month/Year)</u> | Priority Claimed: | | | | |
|------------------------------|-----------------------------|-------------------------------|--|------------------------------|-----------------------------|--------------------------|--------------------------|
| | | | <table border="0"> <tr> <td><input type="checkbox"/> Yes</td> <td><input type="checkbox"/> No</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table> | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | | | | | | |
| <input type="checkbox"/> | <input type="checkbox"/> | | | | | | |

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States application listed below:

| | |
|----------------------|--------------------------|
| 60/132,216 | May 3, 1999 |
| 60/055,520 | August 13, 1997 |
| <u>60/075,113</u> | <u>February 11, 1998</u> |
| (Application Number) | (Filing Date) |

I hereby claim the benefit under Title 35, United States Code § 120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code § 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to

patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Prior U.S. (or U.S.-designating PCT) Application(s) [list additional applications on separate page]:

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|-------------------------|-------------------------------|----------------------------|--|
| 09/563,826 | 03/May 2000 | | Pending |
| 09/533,149 | 23/March/2000 | | Pending |
| 09/402,527 | 05/October/1999 | | Pending |
| | 13/August/1998 | PCT/US98/16739 | Pending |

I hereby appoint Thomas J. Kowalski, Registration No. 32,147, William S. Frommer, Registration No. 25,506 and Frommer Lawrence & Haug LLP, or their duly appointed associate, my attorneys, with full power of substitution and revocation, to prosecute this application, to make alterations and amendments therein, to file continuation and divisional applications thereof, to receive the Patent, and to transact all business in the Patent and Trademark Office and in the Courts in connection therewith, and to insert the Serial Number of the application in the space provided above, and specify that all communications about the application are to be directed to the following correspondence address:

Thomas J. Kowalski, Esq.
c/o FROMMER LAWRENCE & HAUG LLP
745 Fifth Avenue
New York, NY 10151

Direct all telephone calls to: (212) 588-0800
to the attention of: Thomas J. Kowalski

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I INVENTOR(S):

Signature: De-chu C. TANG Date: 05/31/02

Full name of first inventor: De-chu C. TANG
Residence: 1163 Riverchase Parkway, Birmingham, Alabama 35244, USA
Citizenship: U.S.

Signature: Donald H. Marks Date: June 1, 2002

Full name of second inventor: Donald H. MARKS
Residence: 12 Legion Court, Rockaway, New Jersey 07866, USA
Citizenship: U.S.

Signature: David T. Curiel Date: 5/28/02

Full name of third inventor: David T. CURIEL
Residence: 824 Lindwood Road, Birmingham, Alabama 35222, USA
Citizenship: U.S.

Signature: Zhongkai Shi

Date: 5/29/02

Full name of fourth inventor: Zhongkai **SHI**

Residence: Apartment 2, 1611 94th Avenue South, Birmingham, Alabama 35205, USA

Citizenship: Chinese

Signature: Kent Rigby van Kampen

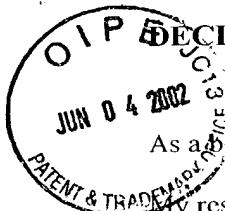
Date: May 28, 2002

Full name of fifth inventor: Kent Rigby van **KAMPEN**

Residence: 1008 Lake Winds Drive, Hoover, Alabama 35244, USA

Citizenship: U.S.

Post Office Address(es) of inventors [if different from residence]: **SAME**



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I INVENTOR(S):

Signature: De-chu C. TANG Date: 05/31/02

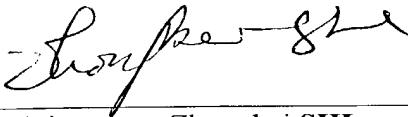
Full name of first inventor: De-chu C. TANG
Residence: 1163 Riverchase Parkway, Birmingham, Alabama 35244, USA
Citizenship: U.S.

Signature: Donald H. Marks Date: June 1, 2002

Full name of second inventor: Donald H. MARKS
Residence: 12 Legion Court, Rockaway, New Jersey 07866, USA
Citizenship: U.S.

Signature: David T. Curiel Date: 5/28/02

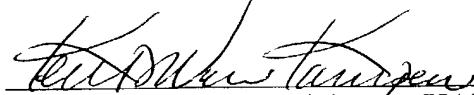
Full name of third inventor: David T. CURIEL
Residence: 824 Lindwood Road, Birmingham, Alabama 35222, USA
Citizenship: U.S.

Signature: Date: 5/29/02

Full name of fourth inventor: Zhongkai SHI

Residence: Apartment 2, 1611 94th Avenue South, Birmingham, Alabama 35205, USA

Citizenship: Chinese

Signature: Date: May 28, 2002

Full name of fifth inventor: Kent Rigby VAN KAMPEN

Residence: 1008 Lake Winds Drive, Hoover, Alabama 35244, USA

Citizenship: U.S.

Post Office Address(es) of inventors [if different from residence]: SAME

Frommer Lawrence & Haug LLP
File No.: 858610-2004.2
Serial No.: 10/052,323
Filing Date: January 18, 2002

ASSIGNMENT

We, **De-chu C. TANG, Donald H. MARKS, David T. CURIEL, Zhongkai SHI and Kent Rigby VAN KAMPEN**, who reside respectively at **1163 Riverchase Parkway, Birmingham, Alabama 35244, USA; 12 Legion Court, Rockaway, New Jersey 07866, USA; 824 Lindwood Road, Birmingham, Alabama 35222, USA; Apartment 2, 1611 94th Avenue South, Birmingham, Alabama 35205, USA and 1008 Lake Winds Drive, Hoover, Alabama 35244, USA**, have made certain inventions or discoveries (or both) set forth in an application for Letters Patent of the United States of America entitled: **IMMUNIZATION OF ANIMALS BY TOPICAL APPLICATION OF A SALMONELLA-BASED VECTOR** and **UAB RESEARCH FOUNDATION**, whose address is **701 South 20th Street, Suite 1120G, Birmingham, AL 35294-0111**, and which, together with its successors and assigns is hereinafter called "Assignee," is desirous of acquiring the title, rights, benefits and privileges hereinafter recited, and of confirming the same or any part thereof heretofore acquired by Assignee.

Now, therefore, for valuable consideration furnished by Assignee to us, receipt and sufficiency of which we hereby acknowledge, we hereby, without reservation:

1. Assign and convey to and confirm in Assignee the entire right, title and interest in and to said inventions and discoveries, said application for Letters Patent of the United States of America, any and all other applications for Letters Patent on said inventions and discoveries in whatsoever countries, including all divisional, renewal, substitute, continuation and Convention applications based in whole or in part upon said inventions or discoveries or upon said applications, and any and all Letters Patent and reissues and extensions of Letters Patent granted for said inventions and discoveries or upon said applications, and every priority right that is or may be predicated upon or arise from said inventions, said discoveries, said applications and said Letters Patent;
2. Authorize Assignee to file patent applications in any or all countries on any or all of said inventions and discoveries in our names or in the name of Assignee or otherwise as Assignee may deem advisable, under the International Convention or otherwise;
3. Authorize and request the Commissioner of Patents of the United States of America and the empowered officials of all other governments to issue or transfer all said Letters Patent to Assignee, as assignee of the entire right, title and interest therein or otherwise as Assignee may direct;
4. Warrant that we have not knowingly conveyed to others any right in said inventions, discoveries, applications or patents or any license to use the same or to make, use or sell anything embodying or utilizing any of said inventions or discoveries; and that we have good right to assign the same to Assignee without encumbrance;
5. Bind our heirs and legal representatives, as well as ourselves to do, upon Assignee's request and at its expense, but without additional consideration to us or them, all acts reasonably

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serving to assure that the said inventions and discoveries, the said patent applications and the said Letters Patent shall be held and enjoyed by Assignee as fully and entirely as the same could have been held and enjoyed by us or our heirs or representatives if this assignment had not been made; and particularly to execute and deliver to Assignee all lawful application documents including petitions, specifications, and oaths, and all assignments, disclaimers, and lawful affidavits in form and substance as may be requested by Assignee; to communicate to Assignee all facts known to us relating to said inventions and discoveries or the history thereof, and to furnish Assignee with any and all documents, photographs, models, samples and other physical exhibits in our control or in the control of our heirs or legal representatives and which may be useful for establishing the facts of our conceptions, disclosures, and reduction to practice of said inventions and discoveries.

In testimony of which we have affixed our signatures.

05/29/02

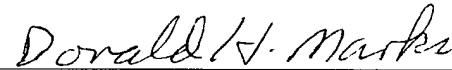
Date of Signature



Signature: De-chu C. TANG

June 1, 2002

Date of Signature



Signature: Donald H. MARKS

5/29/02

Date of Signature



Signature: David T. CURIEL

5/29/02

Date of Signature



Signature: Zhongkai SHI

May 28, 2002

Date of Signature



Signature: Kent Rigby VAN KAMPEN